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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,456	01/30/2006	Roberto Cavazzoni	BUG-39439	5587
116 7590 12/15/2008 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			EXAMINER LE, DINH THANH	
			ART UNIT 2816	PAPER NUMBER
			MAIL DATE 12/15/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/566,456

**Applicant(s)**

CAVAZZONI, ROBERTO

**Examiner**

DINH T. LE

**Art Unit**

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 201-227, 230, 231, 233, 234 and 236-242 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 201-227, 230, 231, 233, 234, 236-238 and 240-242 is/are allowed.
- 6) ☒ Claim(s) 239 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***FINAL REJECTION***

The rejections under 35 USC 112, second paragraph, and over Erfinder (PCT/EP88/00454) have been withdrawn in view of the amendments to the claims.

***Claim Rejections***

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 239 is rejected under 35 USC 103 (a) as being unpatentable over Stamler (US 4,453,132) in view of Ikeda et al (US 5,886,580).

Regarding claims 239, Stamler discloses in Figure 6 a circuit comprising:

- a first operational amplifier (A1);
- a resistor (R) having a first end connected with the inverting input of said first operational amplifier (A) and a second end set to receive an input signal (VI);
- feedback means (C, R);
- a second stage (47) provided with a second operational amplifier (A2);

- a first resistor (R) having a first end connected with the inverting input of said second operational amplifier (A2) and a second end connected to the output of said first operational amplifier (A1);
- a feedback means R;
- a third stage (43) provided with a third operational amplifier (A3);
- a resistor (R) having a first end connected to the inverting input of said third operational amplifier (A3), and a second end connected to the output of said second operational amplifier (A2);
- a feedback means (C);
- a main feedback branch , preferably defined by a resistor R4); and
- a direct connection being between the noninverting input of said third operational amplifier (A3) and the inverting input of said second operational amplifier (A2).

However, Stamler fails to suggest a resistor connected between the inverting input of said third operational amplifier (A3) and a fixed-potential node,

Nevertheless, Ikeda et al suggests to connect a resistor (20) between the inverting terminal of an operational amplifier (12) and ground in Figure 1 for limiting the input voltage introduced to the inverting input.

It would have been obvious to a person having skill in the art at the time the invention was made to employ the resistor as suggested by Ikeda et al in first or amplifier or the

third amplifier of Stamler for the purpose of limiting the voltage at the inverting of the amplifier.

***Allowable Subject matter***

Claims 201-227, 230-231, 233-234, 236-238 and 240-242 are allowable. These claims are allowed because the prior art of record fails to suggest the “fourth operational amplifier” as combined in claims 201, 208, 211, 219, 221, 224, 236 and 240, and “a direction connection being provided between the noninverting input of said first operational amplifier and the inverting input of the second or third operational amplifier” as combined in claim 232.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DINH T. LE whose telephone number is (571) 272-1745. The examiner can normally be reached on Monday-Friday (8AM-7PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan, can be reached at (571) 272-1988.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/DINH T. LE/  
Primary Examiner, Art Unit 2816

**Index of Claims (continued)**

**Application/Control No.**

10/566,456

**Examiner**

DINH T. LE

**Applicant(s)/Patent under  
Reexamination**

CAVAZZONI, ROBERTO

**Art Unit**

2816

✓	Rejected
=	Allowed

—	(Through numeral) Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
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Claim	Date				
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